



Federal Communications Commission
Washington, D.C. 20554

DA 07-4334

October 18, 2007

Mark J. Prak
Hearst-Argyle Stations, Inc.
P.O. Box 1800
Raleigh, NC 27602

Re: Call Sign: E070241
File No. SES-LIC-20071016-01423

Dear Mr. Prak:

On October 16, 2007, Hearst-Argyle Stations, Inc. filed the above-captioned application for authority to operate a Temporary-Fixed Ku-Band¹ Transmit-Only Earth Station. For the reason discussed below, we dismiss the application as defective, without prejudice to refiling.²

Section 25.112 of the Commission's rules, 47 C.F.R. § 25.112, requires the Commission to return, as unacceptable for filing, any earth station application that is not substantially complete, contains internal inconsistencies, or does not substantially comply with the Commission's rules. Hearst-Argyle Stations, Inc.'s application is incomplete, which renders it unacceptable and subject to dismissal. The deficiency is as follows:

Question 28 of Form 312 indicates that a radiation hazard study must accompany all applications as an exhibit for new transmitting facilities such as the one proposed.³ However, Hearst-Argyle Stations, Inc.'s application did not include this required exhibit.

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. §25.112(a)(1), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. §0.261, we dismiss Hearst-Argyle Stations, Inc.'s application as incomplete without prejudice to refiling.

Sincerely,

Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division
International Bureau

¹ 14.0-14.5 GHz band.

² If Hearst-Argyle Stations, Inc. refiles an application in which the deficiency identified in this letter has been corrected but otherwise identical to the one dismissed, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).

³ *See* 47 C.F.R. § 1.1307(b).